

## HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2431**

Thorpe Floor Amendment

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HB 2431 adopts the Uniform Firearm Transfer Compact (Compact), establishing Arizona as a member state. The Compact is binding when at least one other state enacts identical legislation. The Compact governs each member state to the fullest extent possible by the member state's constitution at the time of enactment and supersedes or repeals any existing state law that is in conflict with the Compact's provisions. The Compact prohibits a member state from enacting any law, whether it is via legislation, voter initiative, or otherwise, governing the transfer of firearms that is more restrictive than federal law. A member state may only withdraw from the Compact upon the unanimous consent of all other member states.

The 2-page Thorpe floor amendment to HB 2431 provides two different ways for a member state to withdraw from the Compact that do not require the unanimous consent of all other member states:

1. A member state can withdraw from the Compact by enacting appropriate legislation every five years after the Compact is initially enacted.
2. The governors of member states can meet at any time and agree on legislation that would withdraw a member state from the Compact. Amendments to the Compact can also be established at the meeting and become effective when two-thirds of the member states enact identical legislation to amend the Compact.

Amendment explanation prepared by Casey Baird

Phone Number 602-926-3072

3/9/2015

THORPE FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2431

(Reference to printed bill)

1 Page 2, line 43, strike "NOT" insert "ONLY"; strike "MODIFY" insert "AMEND"; strike  
2 "EXCEPT UPON THE UNANIMOUS"; strike lines 44 and 45

3 Page 3, strike lines 1 through 4, insert "AS PROVIDED HEREIN AND IN SECTIONS 4 AND  
4 5 OF THIS ARTICLE. DURING EACH OF ITS RESPECTIVE LEGISLATIVE SESSIONS  
5 OCCURRING CLOSEST TO EVERY FIFTH YEAR AFTER THE FIRST STATE PASSES  
6 LEGISLATION ENACTING, ADOPTING AND AGREEING TO BE BOUND TO THIS COMPACT, EACH  
7 MEMBER STATE MAY INTRODUCE LEGISLATION PROVIDING FOR WITHDRAWAL FROM THIS  
8 COMPACT, WHICH SHALL BE EFFECTIVE UPON PASSAGE, IF ACTUAL NOTICE OF SUCH  
9 INTRODUCTION WITHIN THIRTY DAYS THEREOF, IS GIVEN OR RECEIVED BY EACH OTHER  
10 MEMBER STATE.

11 SECTION 4. AT ANY TIME, THE GOVERNOR OR OTHER ACTING CHIEF EXECUTIVE  
12 OFFICER, IF ANY, OF A MEMBER STATE MAY CALL A MEETING OF THE GOVERNORS OR  
13 OTHER ACTING CHIEF EXECUTIVE OFFICERS, IF ANY, OF ALL OTHER MEMBER STATES,  
14 WHO SHALL ACT COLLECTIVELY AS A TASK FORCE, FOR THE PURPOSE OF REACHING A  
15 CONSENSUS ON THE INTRODUCTION OF LEGISLATION THAT WOULD EFFECT A WITHDRAWAL  
16 FROM OR AMENDMENT TO THIS COMPACT. SAID CALL MUST GIVE AT LEAST THREE MONTHS  
17 ADVANCE ACTUAL PUBLIC NOTICE OF THE AGENDA, TIME, DATE AND LOCATION OF SUCH  
18 MEETING TO ALL GOVERNORS OR ACTING CHIEF EXECUTIVE OFFICERS OF ALL OTHER  
19 MEMBER STATES. PROVIDED THAT A SIMPLE MAJORITY QUORUM OF MEMBER STATES IS  
20 REPRESENTED BY SAID EXECUTIVE OFFICIALS WHO ARE PRESENT ELECTRONICALLY OR  
21 PHYSICALLY DURING THE MEETING, AND A MAJORITY OF ATTENDING MEMBER STATES  
22 APPROVE THROUGH THEIR REPRESENTATIVES, THE INTRODUCTION OF SUCH LEGISLATION  
23 SHALL BE PERMITTED IN ACCORDANCE WITH EACH MEMBER STATE'S RESPECTIVE LAWS AND  
24 CONSTITUTIONS. ANY AMENDMENT TO THIS COMPACT AUTHORIZED BY THIS SECTION SHALL  
25 ONLY BE EFFECTIVE IF AND WHEN LEGISLATIVELY ADOPTED BY A TWO-THIRDS MAJORITY  
26 OF MEMBER STATES WITHIN THREE YEARS OF ITS FIRST ENACTMENT, WITH THE MINORITY  
27 OF NON-ADOPTING MEMBER STATES DEEMED TO HAVE THEN IMMEDIATELY WITHDRAWN FROM

1 THE COMPACT UNLESS THE AMENDMENT ONLY AFFECTS THE MEMBER STATES THAT HAVE  
2 ADOPTED THE AMENDMENT.

3 SECTION 5. A"

4 Page 3, line 10, after the period insert:

5 "SECTION 6."

6 Line 11, strike "MODIFICATION" insert "AMENDMENT"

7 Line 17, after "1." insert "BEGINNING ON THE EFFECTIVE DATE OF THIS COMPACT,"

8 Line 21, after the first comma insert "OR THE VIOLATION OF PROPERTY RIGHTS,"

9 Line 31, after the period insert "IT IS THE INTENT OF THIS PROVISION THAT THE  
10 FEES, TAXES, PENALTIES, MANDATES OR REGULATIONS, IF ANY, IMPOSED BY FEDERAL  
11 LAW BEGINNING ON THE EFFECTIVE DATE OF THIS COMPACT SHALL ESTABLISH A  
12 REGULATORY CEILING AS AFORESAID, ABOVE WHICH THE MEMBER STATES MAY NOT  
13 REGULATE EXCEPT AS EXPRESSLY PROVIDED IN SECTION 2 OF THIS COMPACT, AND BELOW  
14 WHICH ANY MEMBER STATE MAY ADOPT SUCH POLICIES AS IT WISHES IN ACCORDANCE  
15 WITH ITS RESPECTIVE STATE LAW AND CONSTITUTION, AND THE CONSTITUTION OF THE  
16 UNITED STATES, WITHOUT AFFECTING THE PUBLIC POLICY OF ANY OTHER MEMBER  
17 STATE."

18 Page 5, between lines 5 and 6, insert:

19 "SECTION 9. NOTHING IN THIS COMPACT IS INTENDED TO SUPERSEDE FEDERAL  
20 LAW EXCEPT AS MAY BE AUTHORIZED BY THE PROVISIONS OF 4 UNITED STATES CODE  
21 SECTION 112."

22 Amend title to conform

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BOB THORPE

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